

Emission of gaseous pollutants from compression-ignition engines and from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles. Recast

2003/0205(COD) - 05/09/2003 - Legislative proposal

PURPOSE : to recast Directive 88/77/EEC and to strengthen Community requirements aimed at limiting polluting emissions from new heavy-duty engines for use in vehicles. **PROPOSED ACT :** Directive of the European Parliament and of the Council. **CONTENT :** Directive 88/77/EEC has undergone four amendments. The Commission feels that it is appropriate to increase the legibility of Directive 88/77/EEC by recasting it at a time when the European Community is about to embrace new members. Directive 88/77/EEC will therefore be repealed by this Directive. The existing annexes laid down in Directive 88/77/EEC and the amendments necessary to introduce certain new technical requirements are therefore recast according to the Inter-Institutional Agreement of 28 November 2001 between the European Parliament, the Council and the Commission on a more structured use of the recasting technique for legal acts. In addition, there are new technical requirements and procedures: - for assessing the durability of heavy-duty engine emission control systems over periods of defined useful life; - for assessing the in-service conformity of heavy-duty engine emission control systems over defined useful life period appropriate for the vehicle in which the engine is installed; and - new technical requirements for on-board diagnostic (OBD) systems for new heavy-duty vehicles and engines. The Commission proposes that the useful-life or durability periods for engines to be fitted into category N1, N2, N3, M2 and M3 vehicles be defined as follows: - for engines to be fitted into vehicles of category N1, the useful-life period is defined as 100 000 km or five years, whichever is the sooner; - for engines to be fitted into vehicles of category N2 and M2, the useful-life period is defined as 200 000 km or six years, whichever is the sooner; - for engines to be fitted into vehicles of category N3 and M3, the useful-life period is defined as 500 000 km or seven years, whichever is the sooner. The requirement to demonstrate emission compliance over the applicable useful-life period will take effect from 1 October 2005 for new type-approvals and 1 October 2006 for all type-approvals. In addition, the proposal introduces a split level approach. It constitutes an effort to improve the efficiency of the decision-making process and simplify the proposed legislation. The European Parliament and the Council can focus more on the political direction and content whilst leaving the Commission with the task of adopting the appropriate requirements that would implement such political direction and content. To this end, a "split-level approach" has been followed in this proposal, where the proposal and adoption of legislation will be made according to two different, but parallel, routes: - on the one hand, the fundamental provisions would be laid down by the European Parliament and the Council in a Directive based on Article 251 of the Treaty through the co-decision procedure (the 'co-decision proposal'); - on the other hand, the technical specifications implementing the fundamental provisions would be laid down in a Directive adopted by the Commission with the assistance of a regulatory committee (the 'comitology proposal').